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25 ASHLEY WILSON

26
27 UNITED STATES DISTRICT COURT
28 NORTHERN DISTRICT OF CALIFORNIA

29
30 ASHLEY WILSON, as an individual and on) Case No.: C09-03630 SI
31 behalf of all others similarly situated,)
32)
33 Plaintiff,) **STIPULATION AND [PROPOSED]**
34) **ORDER TO CONTINUE CASE**
35) **MANAGEMENT CONFERENCE**
36 v.)
37) Date: December 9, 2010
38 KIEWIT PACIFIC CO., a corporation;) Time: 3:00 p.m.
39) Dept: 10, 19th Floor
40 Defendant.) Judge: Hon. Susan Illston
41)
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44 Pursuant to Civil Local Rules 7-12 and 16-2, it is hereby stipulated, by and between
45 ASHLEY WILSON (“Plaintiff”) and KIEWIT PACIFIC CO. (“Defendant”) (collectively the
46 “Parties”), through their respective undersigned counsel, as follows:

47 WHEREAS, a Case Management Conference in the above-captioned case is currently
48 scheduled for December 9, 2010;

1 WHEREAS, Plaintiff's Motion for Class Certification was heard on October 1, 2010, and
2 as of the date of the filing of this Stipulation, no order has been issued thereon;

3 WHEREAS, in an effort to conserve judicial resources, the Parties seek a brief
4 continuance of the Case Management Conference until after the Court has issued its Order on
5 Plaintiff's Motion for Class Certification, so that the Parties can advise the Court on the relevant
6 issues resulting from the Court's ruling at the Case Management Conference;

7 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and Defendant,
8 through their respective undersigned counsel, that the Case Management Conference, currently
9 scheduled for December 9, 2010, shall be continued for 35 days.

10 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and Defendant,
11 through their respective undersigned counsel, that the Parties will file a Joint Case Management
12 Conference Statement no later than seven days prior to the new date set for the Case
13 Management Conference.

14 IT IS SO STIPULATED.

16 DATED: December 2, 2010

SEYFARTH SHAW LLP

18 By:

Francis J. Ortman III
Ari Hersher

20 Attorneys for Defendant
21 KIEWIT PACIFIC CO.

22 DATED: December 2, 2010

LAW OFFICES OF PETER M. HART

24 By:

Peter M. Hart

26 Attorneys for Plaintiff
27 ASHLEY WILSON

1 **[PROPOSED] ORDER CONTINUING THE CASE MANAGEMENT CONFERENCE**

2 The parties having so stipulated, and GOOD CAUSE APPEARING
3 THEREFORE, IT IS HEREBY ORDERED that:

4 The Case Management Conference is continued for 30 days, or as soon thereafter
5 as a court date is available.

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7 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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9 Date: _____



10 The Honorable Susan Illston
11 Judge of the United States District Court

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13 The case management conference is set to begin 1/21/11 @ 3 p.m.

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